IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.930 of 2007
BAIJNATH SINGH
Versus
THE STATE OF BIHAR & ANR
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5 18.09.2008 This revision application has been preferred against the judgment dated 11.4.2007 passed by Fast Track Court no. IV, Buxar in Sessions Trial No. 91/2006.

The submission of the learned counsel for the petitioner is that the Court below has wrongly acquitted the opposite party no. 2 from the charge framed under section 307 of I.P.C and convicted him only under Section 324 I.P.C. It is further submitted that the Court below without any basis has released the O.P. no. 2 under the provision of Probation of Offender Act.

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Considered the submission of learned counsel for the petitioner , perused the impugned order. On perusal of the same, it appears that the Court below has rightly acquitted the opposite party under section 307 of I.P.C. on the ground that all the injuries were found simple in nature. The learned lower Court has also rightly given benefit of provisions of Probation of Offenders Act as the maximum sentence under section 324, I.P.C. is only two years.

Having regard to the facts and circumstances of the case, I find no merit in this application. Accordingly, the same is rejected.

pkj **(Ghanshyam Prasad,J)**

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